

HOUSE BILL 1626

By Hazlewood

AN ACT to amend Chapter 109 of the Private Acts of 1967; and any other acts amendatory thereto, relative to the establishment of a county governmental library commission in Hamilton County.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 109 of the Private Acts of 1967, and any other acts amendatory thereto, is repealed.

SECTION 2. There shall be created a Committee to be known as the County Governmental Electronic Library Committee, said name to bear as a prefix the name of the county or counties thus affected. Said Committee shall be composed of as many members as there are existing judges at any time of the Circuit, Criminal, and Chancery Courts having jurisdiction in said county. The Committee members shall serve without salary and shall themselves elect a Chairman and Secretary from their members.

SECTION 3. The purpose of the Committee shall be to establish, acquire, maintain, and operate a County Governmental Electronic Library System. The Committee shall have full power and authority to establish by purchase, gift, rent, lease, loan, subscription, or otherwise electronic research services on subjects, including, but not limited to, law, government, medicine, literature or other subjects that the Committee may deem necessary or beneficial to the Courts, State, County, and Municipal Officials, members of the Bar, and the public, for research for use in the preparation, trial, or decisions of any matters that come or may come before the courts of the County and State, or of use by said Public Officials or the public, on questions of law or government.

SECTION 4. For the purpose of financing the Library there shall be taxed as cost on each civil, criminal, quasi civil, quasi criminal, or any other action at law, or suit in equity of any nature, including probate matters, hereafter filed in, arising in, or brought by appeal, certiorari or otherwise to the Circuit, Criminal, or Chancery Court of said County, including the Chancery

Court sitting in probate, the sum of one dollar (\$1.00), and on each case of any nature hereafter filed or arising in the Courts of General Sessions, or other inferior Courts of said counties, except Municipal and Juvenile Courts, there shall be taxed the sum of fifty cents (50¢). The costs taxed in pursuance of this Section shall be collected as other costs in such cases are collected by the Clerks of such Courts, and the same shall be designated County Electronic Library Tax, and when any part of the costs in any case has been collected, after payment of any State litigation tax accrued thereon, the amount necessary for the payment of said County Electronic Library Tax shall be next applied thereto, before applying any of the amount collected as cost to any other funds or items of costs. On or before the last day of each month the Clerks of the respective Courts shall pay to the County Trustee all amounts collected as County Electronic Library Tax in the preceding calendar month. The sum paid to the County Trustee shall be designated County Governmental Electronic Library Fund and used only for the purposes set out in this Act. On approval of a majority of the Committee, the Chairman and Secretary shall draw warrants on the County Trustee for expenditures of the Committee, indicating on such warrant the fund against which they are drawn, and the County Trustee is hereby authorized and directed, upon all warrants signed by said Chairman and Secretary, to make payment out of said fund upon the warrants so issued and presented in compliance with the provisions of this Act.

SECTION 5. The Committee shall have full power and authority if necessary to provide sufficient operating funds, to assess lawyers and others, except Judges, Public Officials, and County employees acting within the scope of their employment, reasonable dues or charges for the use of said Library, and to make charges for the use, and any income from the dues or charges shall be paid by the Committee into the office of the County Trustee in a like manner and at like times as monies collected hereunder shall be paid by the Clerks of the various Courts to said County Trustee.

SECTION 6. The Committee shall keep written minutes of their meetings, at which meetings a majority of all members of said Committee then serving shall constitute a quorum for

the transaction of business, and said Committee shall keep with reasonable accuracy a record of monies received and disbursed, and purchases made from said funds. All records of the Committee shall be maintained in the office of Clerk of the Circuit Court.

SECTION 7. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Hamilton County. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 8. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 7.